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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA, ) No. CR-05-00482- JSW  
17 Plaintiff, )  
18 v. ) STIPULATION TO CONTINUE STATUS  
19 DARRELL EDWARD SANCHEZ and ) DATE AND TO EXCLUDE TIME UNDER  
20 JINKY AN MANIULIT, ) THE SPEEDY TRIAL ACT; [PROPOSED]  
21 Defendants. ) ORDER  
22 \_\_\_\_\_ Date: December 22, 2005  
23 follows: Time: 2:30 p.m.

24 The parties to the above matter hereby stipulate, subject to the approval of the Court, as  
25 follows:

26 1. This matter is currently calendared before the Honorable Jeffrey S. White for status on  
27 December 22, 2005 at 2:30 p.m.  
28 2. For the following reasons, the parties request that the matter be continued until  
January 12, 2006 at 2:30 p.m.

STIP. TO CONT. STATUS DATE & TO EXCLUDE  
TIME UNDER STA; [PROPOSED] ORDER  
No. CR-05-00482- JSW

a. Mr. Salzman's health remains compromised. He still has cancerous tumors and has been advised by his doctor not to travel until January.

b. Counsel for the government will be unavailable from December 27, 2005 until January 9, 2006.

3. The parties stipulate that the time from December 22, 2005 through January 12, 2006 should be excluded under the Speedy Trial Act based upon the need for continuity of counsel, based upon both Mr. Salzman's health condition and the government's unavailability. See 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

## IT IS SO STIPULATED.

Date: December 15, 2005

/s/ Ira Salzman  
IRA SALZMAN, ESQ.  
Counsel for Defendant SANCHO

Date: December 15, 2005

/s/ Monica Fernandez  
MONICA FERNANDEZ  
Assistant United States Attorney  
Counsel for the United States

## ORDER

The parties' stipulated request to continue this matter until January 12, 2006 at 2:30 p.m. is GRANTED.

Furthermore, the Court HEREBY ORDERS that the time from December 22, 2005 through January 12, 2006 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the failure to grant the requested exclusion would deny the defendant and the government continuity of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. See 18 U.S.C. § 3161(h)(8)(A). The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. § 3161(h)(8)(A).

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: December 16, 2005

HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE

The Court is cognizant of and sympathetic to Defense Counsel's health. However, it also wants to ensure that this case progresses in a timely fashion. Therefore, the Court will call this matter on January 12, 2006, and requests that if Mr. Salzman cannot appear in person that he appear by telephone or have stand in counsel present.